



# Aquatic Nuisance Species Program Update



## USCG & NBIC Launch New Ballast Water Management Equivalent Reporting Program

The Coast Guard and the National Ballast Information Clearinghouse (NBIC) have launched the new Equivalent Reporting Program for vessels operating exclusively in the U.S. Exclusive Economic Zone (EEZ). This program offers an alternative for an Owner, Operator, Master, Agent, Person-in-Charge or Charterer of a vessel to submit required Ballast Water Management (BWM) Reports in a single batch report on a monthly basis, instead of on a port-to-port, pre-arrival schedule as required under 33 CFR

151.204(b).

To be accepted into this program, a BWM Equivalent Reporting Program Applications must be filled out and e-mailed as an attachment to the Coast Guard's Environmental Standards Division: [environmentalstandards@comdt.uscg.mil](mailto:environmentalstandards@comdt.uscg.mil). All applicant vessels must operate exclusively within the EEZ or Canadian equivalent: must not have ever been listed on a Coast Guard Lookout List for failing to submit a BWM report or for submitting incomplete or inaccurate

reports; have suitable capability for e-mailing the form as an attachment; and either make 10 or more BWM reports per calendar month or be part of a fleet of applicant vessels, owned by the same company, who make 50 or more BWM reports per calendar month.

To learn more about this program and download a BWM Equivalent Program Application and submission information, visit:

<http://invasions.si.edu/nbic/equivalentprogram.html>.

## Ballast Water Management for Vessels that Declare No Ballast Onboard (NOBOB)

On January 7, 2005, the Coast Guard published a Notice of Public Meeting; Request for Comments in the Federal Register (70 FR 1448) that asked the public to assist the Coast Guard in identifying ballast water management strategies for NOBOB vessels calling on the Great Lakes. These vessels carry residual ballast water and/or sediments that may

contain aquatic organisms. Once NOBOB vessels enter the Great Lakes and take up ballast water, this water mixes with the residual water and sediments, and if discharged, may provide a mechanism for aquatic nuisance species to enter the Great Lakes. Therefore, the Coast Guard is seeking the public's assistance in developing management strategies to address the

invasion risks posed by NOBOB vessels. To further engage the public on this issue, we will be holding a public meeting on May 9, 2005, in Cleveland, OH. Details of the Federal Register notice and meeting can be found at: <http://dms.dot.gov>. In this web site, proceed to simple search, and under docket number, enter 19842.

### *Special Feature:*

## Debunking USCG Ballast Water Management Myths

**Truth:** In 1996, Congress enacted the National Invasive Species Act (NISA) which gave the Coast Guard the authority to establish both regulations and voluntary guidelines to control the invasion of ANS. This rule amended existing regulations for the Great Lakes ecosystem, established

voluntary ballast water management guidelines for all other waters of the United States, and established mandatory reporting for nearly all vessels entering waters of the United States. At that time, Congress directed that there would be no penalties until the USCG evaluated at least 2 years of

voluntary compliance.

The purpose of NISA 1996 was to reauthorize and amend the Non-aquatic Nuisance Prevention and Control Act of 1990 (NANPCA) to

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**Special Feature Continued**

strengthen and improve the nation's response to threats posed by ANS. NANPCA directed the Coast Guard to promulgate regulations to help reduce new introductions of ANS from a vessel after operating outside the EEZ, discharging ballast water in the Great Lakes.

**Regulatory Process and ANS Regulation:**

**Truth:** To date, the Coast Guard proposes new rules in an open regulatory process as directed by legislation, and then the Executive Branch "approves" the Coast Guard proposal.

**Myth:** Ships calling between U.S. ports would not be required to exchange ballast water.

**Truth:** This is factually incorrect. Ships traveling between U.S. ports on routes that take them outside of the EEZ must report and are required to meet the requirements of the BWM regulation. It is true that, in accordance with our authority under NISA, the current regulation does not require vessels transiting within the EEZ to conduct BWM.

**Compliance and Enforcement:**

**Truth:** On October 29, 2004, the Coast Guard issued Change-1 to the Navigation and Vessel Inspection Circular (NVIC) 07-04, titled "Ballast Water Management for the Control of Aquatic Nuisance Species in the Waters of the United States." This document revises the previously issued NVIC 07-04 (June 17, 2004), incorporates changes made by the July 28, 2004, Final Rule titled, "Mandatory Ballast Water Management Program for U.S. Waters," and the Commandant (G-MOC) Policy Letter 04-06, issued August 10, 2004. The NVIC provides guidance for Coast Guard personnel, vessel owners and operators,

masters, shipping agents, and persons-in-charge concerning compliance with and enforcement of the Coast Guard's BWM Program.

It is the intent of the Coast Guard to make BWM an important aspect of our vessel inspection program.

**Treatment System Approval:**

**Myth:** The Coast Guard is moving too slowly in certifying onboard treatment systems.

**Truth:** The Coast Guard must follow a number of procedures when establishing regulations. Both the Administrative Procedures Act and the National Environmental Policy Act (NEPA) require the Coast Guard to maximize public input to the development of a rule. NEPA and the Endangered Species Act require federal agencies to conduct studies of the potential environmental effects of proposed regulations, and these environmental studies can add significantly to the time required to establish a regulation.

**Myth:** The Coast Guard has yet to approve any onboard treatment systems.

**Truth:** The law says we must approve any practices used by ships in lieu of BWE. To date, we have had no applications by vessel owners for approval of alternative management practices. We have had 2 applications for acceptance of experimental prototype systems into our Shipboard Technology Evaluation Program (STEP).

To provide assistance to developers of treatment systems, by providing a quantitative performance target, and facilitate the approval of systems, the Coast Guard is developing a discharge standard for ballast water treatment.

**Calendar of Events****March 29, 2005, 9:30 a.m.**

**BLG 9 Public Meeting**  
Coast Guard Headquarters,  
Room 6319  
2100 Second St, SW  
Washington, DC 20593  
Information: (202) 267-2716

**April 4-8, 2005**

**BLG 9**  
IMO Headquarters  
4 Albert Embankment  
London SE1 7SR UK

**May 9, 2005, 9 a.m.-4 p.m. and 5 p.m.-7 p.m.**

**NOBOB Public Meeting**  
Anthony J. Celebrezze Federal Building  
1240 E. 9th Street  
Cleveland, Ohio 44419

**July 2005**

(Date TBD)  
**MEPC 53 Public Meeting**  
Coast Guard Headquarters  
2100 Second St, SW  
Washington, DC 20593  
Information: (202) 267-2716

**July 11-15, 2005**

**IBWWG**  
IMO Headquarters  
4 Albert Embankment  
London SE1 7SR UK

**July 18-22, 2005**

**MEPC 53**  
IMO Headquarters  
4 Albert Embankment  
London SE1 7SR UK



**Environmental Standards Division  
(G-MSO-4)**

**U.S. Coast Guard Headquarters  
2100 Second Street, S.W., Room 1601  
Washington, DC 20593**

**Information line: 202-267-2716  
EnvironmentalStandards@comdt.uscg.mil**

**We are on the web!**

**[www.uscg.mil/hq/g-m/mso/bwm.htm](http://www.uscg.mil/hq/g-m/mso/bwm.htm)**